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MUNICIPAL CORPORATIONS—DONATION OF PROPERTY—PUBLIC PURPOSE.—In order to induce the trustees of a normal school established and controlled by the state to locate there, the defendants promised to furnish it with water for fifty years. On the faith of this promise, the school did locate there; but, after furnishing it with water for several years, the city refused to go on with its contract. The plaintiff brought suit for specific performance. *Held*, the city is without power to make such agreement. *Eastern Illinois Normal School v. City of Charleston* (Ill.), 111 N. E. 573.

Public money can only be donated and expended for public purposes. *Mollnow v. Rafter*, 89 Misc. 495, 152 N. Y. Supp. 110. There is great conflict and confusion among the adjudicated cases as to what purposes are so far public in their nature as to permit public money to be expended in order to promote them. While the promotion of the interest of individuals may result in the advancement of the public welfare, such an incidental benefit to the public is not enough to justify the appropriation of money to aid them; but the validity of an appropriation or donation is to be determined by the essential character of the object for which it is made, which must be such as will subserve the purposes for which the government was created. *Lowell v. Boston*, 111 Mass. 454. But state authority is not confined to those expenditures absolutely necessary for the continued existence of organized government, but embraces others which tend to make that government subserve the general well-being of society and advance the present or prospective happiness and prosperity of the people. *People v. Salem*, 40 Mich. 452, 4 Am. Rep. 400. Thus, the legislature may appropriate money for a state exhibit at a world's fair. *Daggett v. Colgan*, 92 Cal. 53, 28 Pac. 51, 14 L. R. A. 474. It seems that, within reasonable limits, the legislature should be the judge of what constitutes a public purpose, and, therefore, the question before the court in all such cases is one of legislative power and not legislative policy. *Daggett v. Colgan*, *supra*.

In order for a municipality to make a valid donation, the object for which it is made must be both public and corporate. *Hubard v. Fitzsimmons*, 57 Ohio St. 436, 49 N. E. 477. There are many objects which may be considered public objects as regards the state government, but not as regards municipalities because they confer no distinctive public benefit on the municipality. *Wasson v. Wayne County*, 49 Ohio St. 622, 32 N. E. 472, 17 L. R. A. 795. There is much apparent confusion among the decisions as to the power of a city to donate money to secure the location there of schools and colleges. See *Livingston County v. Darlington*, 101 U. S. 470; *Livingston County v. Weide*, 64 Ill. 427; *Burr v. Carbondale*, 76 Ill. 455. It would seem that the character of the institution, whether it confers a peculiar benefit on the municipality or whether the benefit to it is merely incidental and of the same character as that conferred on the state at large, should determine the validity of the donation. *Wasson v. Wayne County*, *supra*.

REAL PROPERTY—ADVERSE POSSESSION—AGAINST MUNICIPAL CORPORATIONS.—A municipal corporation owned certain land in its proprietary capacity. The defendant entered upon the land and assumed actual, open,